

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

\$ RCE  
# 01/31/03  
DS

Jiunn-Tsair Chen  
Gerard J Foschini  
Constantinos B Papadias

Case Name/No. Chen 5-8-3  
Serial No: 09/353460  
Filing Date: July 13, 1999  
Group Art Unit: 2662  
Examiner: T. Horn

RECEIVED

MAIL STOP RCE  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

OCT 27 2003

Technology Center 2600

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 CFR § 1.114

SIR:

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of application Serial No. 09/353460 filed on July 13, 1999 entitled Code Assignment In A CDMA Wireless System

**NOTE:** 37 CFR § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a Continued Prosecution Application (CPA) under 37 CFR § 1.53(d) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **SUBMISSION REQUIRED UNDER 37 CFR § 1.114**

a. ☐ *Previously Submitted*

i. ☐ Consider the amendment/reply under 37 CFR § 1.116 previously filed on

(Any unentered amendment(s) referred to above will be entered.)

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on

iii. ☐ Other \_\_\_\_\_

b. ☒ *Enclosed*

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other EXTENSION OF TIME PURSUANT TO 37 CFR 1.136(a)

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**2. MISCELLANEOUS**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of \_\_\_\_\_ month(s).  
(Period of suspension shall not exceed 3 months. Fee under 37 CFR § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_

**3. FEES**

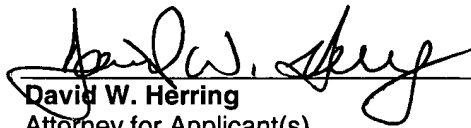
- a. ☒ The Director is hereby authorized to charge the following fees to **Lucent Technologies Deposit Account No. 12-2325**.
- i. ☒ RCE fee required under 37 CFR § 1.17(e) - **\$770.00**
- ii. ☐ Other - \_\_\_\_\_

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 12-2325** as required to correct the error. Duplicate copies of this letter are enclosed.

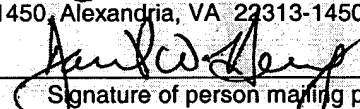
The Commissioner is hereby authorized to treat any concurrent or future reply, requiring a petition for extension of time under 37 CFR § 1.136 for its timely submission, as incorporating a petition for extension of time for the appropriate length of time if not submitted with the reply.

Please address all correspondence to **Docket Administrator (Room 3J-219), Lucent Technologies, Inc., 101 Crawfords Corner Road, Holmdel, New Jersey 07733-3030**. However, telephone calls should be made to me at **908-582-4326**.

Respectfully,

  
**David W. Herring**  
 Attorney for Applicant(s)  
 Reg. No.: **51069**

Date: 10/20/03  
**Lucent Technologies Inc.**  
**101 Crawfords Corner Road**  
**Room 3J-219**  
**Holmdel, New Jersey 07733-3030**

Date of Deposit <u>10/20/03</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service First Class Mail in an envelope addressed to: Mail Stop <u>RCE</u> , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated above.	
<u>David W. Herring</u> Printed name of person mailing paper or fee	 Signature of person mailing paper or fee